

“(a) STUDY.—The Secretary shall conduct a study on the funding needs for Indian reservation roads taking into account funding and other quality inequities between Indian reservation roads and other highway systems.

“(b) REPORT.—Not later than 1 year after the date of the enactment of this Act [Dec. 18, 1991], the Secretary shall submit to Congress a report on the results of the study conducted under this section, together with any legislative and administrative recommendations of the Secretary for correcting inequities identified under such study.”

STUDY AND REPORT ON METHOD OF ALLOCATING FUNDS

Section 1032(e) of Pub. L. 102-240 provided that: “The Secretary shall undertake a study to determine if the method for allocating funds authorized for Federal lands highways is adequate to meet the relative transportation needs of the Federal lands served. The report shall be submitted within 2 years of the date of the enactment of this Act [Dec. 18, 1991].”

FOREST HIGHWAYS

Pub. L. 100-17, title I, §134, Apr. 2, 1987, 101 Stat. 173, as amended by Pub. L. 100-202, §101(l) [title III, §348(a)], Dec. 22, 1987, 101 Stat. 1329-358, 1329-388, provided that: “Notwithstanding section 202(a) of title 23, United States Code, the Secretary shall, after making the transfer provided by section 204(g) of such title, as soon as practicable after the date of the enactment of this Act [Apr. 2, 1987] in fiscal year 1987 and on October 1 of each of fiscal years 1988, 1989, 1990, and 1991, allocate 66 percent of the remainder of the authorization for forest highways provided for such fiscal year by this Act [see Short Title of 1987 Amendment note set out under section 101 of this title] in the same percentage as the amounts allocated for expenditure in each State and the Commonwealth of Puerto Rico from funds authorized for forest highways for the fiscal year ending June 30, 1958, adjusted (1) to eliminate the 0.003243547 percent for the State of Iowa to the State by deed executed May 26, 1964, and (2) to redistribute the percentage formerly apportioned to the State of Iowa to other participating States on a proportional basis. The remaining funds authorized to be appropriated for forest highways for such fiscal year shall be allocated pursuant to section 202(a) of such title.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 104, 157 of this title.

§ 203. Availability of funds

Funds authorized for,¹ forest development roads and trails, public lands development roads and trails, park road, parkways, Indian reservation roads, and public lands highways shall be available for contract upon apportionment, or on October 1 of the fiscal year for which authorized if no apportionment is required. Any amount remaining unexpended for a period of three years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is granted authority to incur obligations, approve projects, and enter into contracts under such authorizations and his action in doing so shall be deemed a contractual obligation of the United States for the payment of the cost thereof and such funds shall be deemed to have been expended when so obligated. Any funds heretofore or hereafter authorized for any fiscal year for,¹ forest development roads and trails, public lands development roads

and trails, park road, parkways, Indian roads and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorizations shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

(Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 906; Pub. L. 86-657, §8(b), July 14, 1960, 74 Stat. 524; Pub. L. 87-866, §7, Oct. 23, 1962, 76 Stat. 1147; Pub. L. 94-280, title I, §117(b), May 5, 1976, 90 Stat. 437; Pub. L. 97-424, title I, §126(f), Jan. 6, 1983, 96 Stat. 2116; Pub. L. 102-240, title I, §1032(f), Dec. 18, 1991, 105 Stat. 1975.)

AMENDMENTS

1991—Pub. L. 102-240 struck out “forest highways” before “”, forest development roads” in two places.

1983—Pub. L. 97-424 substituted “park road” for “park roads and trails” wherever appearing.

1976—Pub. L. 94-280 substituted “or on October 1” for “or a date not earlier than one year preceding the beginning” in first sentence and “three years” for “two years” in second sentence.

1962—Pub. L. 87-866 inserted “public lands development roads and trails,” before “park roads and trails”, in two places.

1960—Pub. L. 86-657 substituted “Funds authorized” for “Funds now authorized” in first sentence.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-240 effective Dec. 18, 1991, and applicable to funds authorized to be appropriated or made available after Sept. 30, 1991, and, with certain exceptions, not applicable to funds appropriated or made available on or before Sept. 30, 1991, see section 1100 of Pub. L. 102-240, set out as a note under section 104 of this title.

§ 204. Federal Lands Highways Program

(a) Recognizing the need for all Federal roads which are public roads to be treated under the same uniform policies as roads which are on the Federal-aid systems, there is established a coordinated Federal lands highways program which shall consist of the public lands highways, park roads, parkways, and Indian reservation roads as defined in section 101 of this title. The Secretary, in cooperation with the Secretary of the Interior and the Secretary of Agriculture, shall develop appropriate transportation planning procedures and safety, bridge, and pavement management systems for roads funded under the Federal Lands Highway Program. Notwithstanding any other provision of this title, no public lands highway project may be undertaken in any State pursuant to this section unless the State concurs in the selection and planning of the project.

(b) Funds available for public lands highways shall be used by the Secretary to pay for the cost of planning, research, engineering and construction thereof. Funds available for park roads, parkways, and Indian reservation roads shall be used by the Secretary or the Secretary of the Interior to pay for the cost of construction and improvement thereof. In connection therewith, the Secretary and the Secretary of

¹ So in original. The comma probably should not appear.